

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
JULY 19, 2016 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
7:00 PM Executive Closed Session/8:00 pm Public Session**

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 7:00 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

2. Roll Call :

Mayor Birkner – Present
Councilmember Owens – Present
Councilmember Montana – Present
Councilmember Grefrath – Present
Councilmember Dell - Present
Councilmember Arroyo – Present
Council President Bicocchi - Present
Borough Attorney Huntington – Present
Borough Administrator Kezmarsky - Present
Borough Clerk Hughes – Present

Committee Assignments:

Public Properties
Finance, Administration & Capital Projects
Fire & Ambulance; Shared Services
Land Use
Police & Emergency Management
Health & Recreation

3. Resolution #16 - 173: Executive Closed Session

Motion to adopt Resolution #16- 173: Councilmember Arroyo Second: Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Arroyo Second: Council President Bicocchi

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 7:57 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Present / Councilmember Grefrath - Present / Councilmember Dell – Present / Councilmember Arroyo - Present / Council President Bicocchi – Present / Borough Administrator Kezmarsky - Present / Borough Attorney Huntington – Present / Borough Engineer Senkevich – Present / Borough Clerk Hughes - Present

6. Flag Salute

Councilmember Arroyo gave the invocation. Mayor Birkner led those present in the salute to the flag.

7. Approval of Minutes: May 17, 31, 2016

Motion to Adopt Minutes of May 17 and 31, 2016: Councilmember Grefrath Second: Councilmember Owens

Councilmember Dell asked that the May 31 minutes under the Recreation update be corrected to reflect the report was given by Council President Bicocchi, not Councilmember Arroyo.

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

8. Resolution #16 - 174: Appointment of Police Auxiliary Officer

Motion to adopt Resolution #16- 174: Councilmember Arroyo Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

Mayor Birkner administered the Oath of Office to Kevin Natalizio.

9. Reports of Committees and Officials:

A) Mayor's Report

a) NJ Senior Olympics

Mayor Birkner announced that the New Jersey Senior Olympics will be held in Woodbridge Township September 9-11.

b) Puppy Mill Ordinance

Mayor Birkner said there have been a number of requests to bring forth a puppy mill ordinance. He does not want to duplicate what the State is going to do. Mr. Huntington suggested giving it some time and have the local Assemblywoman monitor it.

c) NJDOT Local Aid Projects

Mayor Birkner asked Dr. Boswell to update everyone on the status of the Borough's NJDOT projects, since Governor Christie has ordered all local aid projects to be halted. Dr. Boswell explained that all the Borough's projects are completed. There is one project to bid. He suggested waiting until the next meeting to see if anything changes. If not the bid could be done with the NJDOT project as an alternate. Mr. Kezmarsky asked how multiple alternate bids would work. Dr. Boswell said the award is to the lowest bidder on the combined base and alternate(s). A resolution was added to the consent agenda to bid the NJDOT project as alternate B.

Mayor Birkner noted the passing of former Councilmember Robert Miller. He was a dedicated member of the community for many years as a fireman and councilman. He and Bob were adversaries in a mayoral election, and colleagues on the dais. Mayor Birkner observed that Bob perhaps ran afoul with some legal matters, but no one knows what happens inside someone's home or lives and should not judge. Bob Miller served the Borough of Westwood admirably. He was a strong voice to accomplish what he thought was best for the Borough. Mayor Birkner asked everyone to keep the family in their prayers. He will certainly remember the good things Bob accomplished.

B) Engineer's Report

1) Biweekly Report

Dr. Boswell reviewed the biweekly report, a copy of which is attached.

2) Emerson Road Pump Station

Councilmember Owens asked the status of the Emerson Road Pump Station. Mayor Birkner said the River Vale Mayor has been out due to back surgery and is now on vacation. Councilmember Owens asked how long the job will take once approval is obtained from River Vale, and if there is a concern with the failure of the pumps in the wintertime. Dr. Boswell said the weather is not an issue.

C) Council Liaison & Committee Reports

1) Police and OEM:

a) LEADS Presentation

Councilmember Arroyo introduced Officer Neuberger, who gave a presentation on the LEADS program that will be implemented in the schools in September.

b) Parking Ordinances

Councilmember Arroyo asked Parking Authority Chairman Francis Costello to comment on the parking ordinance changes. Mr. Costello said the ordinance is the initiation of many ears of hard work, often waylaid by the economy and politics. He thanked Neil Volant of the Westwood Taxpayers Association and the Westwood Chamber of Commerce for their participation. He thanked Councilmember Arroyo for taking the initiative to move things forward, and Mrs. Hughes for working with the Parking Authority staff to draft the ordinances. Mr. Costello explained that the ordinance seeks to correct and assist the business community to address employee parking. He reviewed the locations of 65 parking spots that will be dedicated to employee parking at a price of .25¢ per four hours. If those get utilized in full there is an agreement in principal to expand. This is a test phase. The goal is to reduce traffic by relocating employee and owner parking off of the main street. The Parking Authority will be looking at pricing as a public good and setting rates accordingly. NJ Transit data reflects an average daily parking price of \$3.00, so the Borough Hall lots are being increased to that amount. Mr. Costello said the Parking Authority is embarking on a wholesale change to its operations, streamlining them and bringing on professionals more frequently for advice.

Neil Volant, Westwood Taxpayers Alliance, thanked Councilmember Arroyo and Council President Bicocchi for moving the parking initiatives forward. He said the TPA and Chamber of Commerce have worked hard to get their members and all the owners, employees and customers on board and are making the commitment to be very cooperative and helpful to make sure these ordinances work. Mr. Volant estimates that by moving employee parking further away, getting commuters out of the lots, and making the Fairview lot 2 hour parking, it will open up potentially 300 parking spots per day, for the cost of signs and enforcement. The TPA and Chamber will notify businesses of the plan, encourage participation, be eyes and ears to aid enforcement, and keep an eye on how well it works.

2) Finance, Administration and Capital Projects:

a) Age Friendly Grant

Councilmember Montana attended an update meeting on the Taub grant. Most communities share the same challenges as Westwood, which are communication with seniors, transportation, and pedestrian safety. Councilmember Montana said Westwood is well positioned to complete the findings and submit the application on time. There will be another update meeting on August 9th.

b) Budget Update

Councilmember Montana announced that the Finance Committee started work in July on the 2017 budget by looking at year-to-date expenses and revenues. He explained how tax appeals are an area of concern. At the next meeting they will review expenses that have increased such as recycling, workers compensation, and insurance, which are outside of the Borough's control.

c) Shade Tree Planting

Councilmember Montana advised that requests for shade trees will start to be taken in late August, with planting to occur in October.

3) Fire and Ambulance; Shared Services:

a) Ambulance Corps Update

Councilmember Grefrath reminded everyone that the Ambulance Corps Carnival will be next week, July 26th through 30th.

b) Fire Department Update

The Fire Department Wetdown will be August 13th at Westvale Park from 1:00 - 5:00 pm.

c) Environmental Committee

Councilmember Grefrath advised that the Environmental Committee Chairperson resigned because he is moving. The committee will elect a new Chair in September. They are looking for a new member, and someone to run the Community Garden. Volunteer forms should be submitted to the Borough Clerk. The Environmental Committee has received two grants, one from Bergen SWAN for \$400 and one from Bergen County for \$300, to construct the rain garden at Borough Hall. Construction is planned for late September/October. The plastic bag collection bins are being filled and emptied every two weeks now, moving towards the Borough receiving its first recycled bench. The Environmental Committee would like to join forces with the Green Team, and suggested Green Team members attend Environmental Committee meetings once a quarter. Mrs. Hughes will bring it up at the Green Team meeting on Thursday.

4) Health and Recreation:

a) Recreation Update

Council President Bicocchi reported that the summer Recreation events are going well. He thanked Rick Woods and the Fire Department for the wetdown event for the summer camp kids. Council President Bicocchi noted that the gym floor bid is being awarded at no cost to taxpayers.

b) Health Department Update

The Health Department is treating problem pools for mosquitos.

Council President Bicocchi thanked all those involved for working together to meet the downtown parking needs.

5) Land Use:

a) Traffic Safety

Councilmember Dell reviewed the progress of the traffic safety initiatives. Councilmember

Montana asked if the “Yield to Pedestrian” signs would be put in the center lane of Washington Avenue. Councilmember Arroyo said they are waiting for the bases.

b) Creative Team

Councilmember Dell reported that the Creative Team held its second meeting to discuss branding, collating information and centralizing on the Borough website.

c) Library Update

Councilmember Dell discussed the One Book Westwood program. Also, there will be a butterfly release in memory of Dawn Finn on Monday at the Library. She noted that the Library is a Pokemon Go stop. Mayor Birkner commented that it was great to see Veterans Park loaded with kids, even if they were all playing Pokemon at least they’re in the park.

6) Public Properties: CO

a) DPW Update

Councilmember Owens advised the change to the DPW recycling hours is going well, although some tweaks are needed regarding proof of residency.

D) Attorney’s Report

No report.

E) Administrator’s / Clerk’s Report

1) Grant Writer

Mr. Kezmarsky reported that he had a very successful initial meeting with the grant writer to review outstanding projects. Mr. Rella will be meeting with the Department Heads and the CFO to get the full picture, and will report back to Mr. Kezmarsky. Mayor Birkner asked if the pistol range is on the list; Mr. Kezmarsky said yes.

10. Agenda/Public Forum:

Motion to open Agenda/Public Forum: Council President Bicocchi Second: Councilmember Montana
Voice Vote: A voice vote was taken with all present voting in the Affirmative.

Sue Silverman, Roxbury Condominiums - discussed health and safety concerns with the overpopulation of geese in the area of the Roxbury condos. She would appreciate any assistance to alleviate the overpopulation. Mayor Birkner said he had received information from Barbara Maurice on the matter. He noted that the Borough has been addling eggs on public property and recommended that be done by the management of the Roxbury. He noted that on private property any of the control mechanisms could be done. Ms. Silverman asked if Westwood would consider consulting with wildlife services as Edgewater has. Mayor Birkner pointed out that the measures by Edgewater are for public property. Ms. Silverman said theirs is a senior community so it would be difficult for them to take action and they could use help even though it is a private community.

Angelina DeRoberto, Roxbury Condominiums - is very happy at Roxbury but is not happy with the geese population which is really a problem. She would appreciate if Mayor Birkner could attend a monthly meeting. Mayor Birkner said to send an invitation by email.

Janet Dunn, 50 Berkeley Avenue, Westwood Public Library - handed out copies of the One Book Westwood book and described the program, which includes an “Unplugged Day” of no computers but lots of old-fashioned fun. She thanked the Governing Body for the success of the Westwood Library. Ms. Dunn is also on the Ambulance Corps and plugged the upcoming carnival, noting they are looking for carney barkers.

Councilmember Grefrath said over the past month he has been approached about an active movement to control the excess population of deer. He wasn’t aware of it but asked the Borough Administrator to look into it.

Motion to close Agenda/Public Forum: Councilmember Arroyo Second: Council President Bicocchi

Voice Vote: A voice vote was taken with all present voting in the affirmative.

11. Ordinances of First & Final Reading:

Ordinances on Introduction

16-18 An Ordinance Amending Chapter 6 Boards, Committees And Commissions To Add Article VII Senior Citizen Advisory Committee

BE IT RESOLVED that Ordinance #16-18 entitled “An Ordinance Amending Chapter 6 Boards, Committees And Commissions To Add Article VII Senior Citizen Advisory Committee” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an August 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Montana Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-19 An Ordinance To Amend Chapter 237, Parking Lots, Municipal

BE IT RESOLVED that Ordinance #16-19 entitled “An Ordinance To Amend Chapter 237, Parking Lots, Municipal” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an August 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Arroyo Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes
Councilmember Arroyo – Yes

Councilmember Dell - Yes
Council President Bicocchi – Yes

16-20 An Ordinance to Amend Chapter 375 Vehicles and Traffic Part 2. Parking

BE IT RESOLVED that Ordinance #16-20 entitled “An Ordinance to Amend Chapter 375 Vehicles and Traffic Part 2. Parking” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an August 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Arroyo Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-21 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Various Equipment For The Borough Fire Department And Related Expenses And Appropriating \$61,000 Therefor From The Borough’s Capital Fund Surplus

BE IT RESOLVED that Ordinance #16-21 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Various Equipment For The Borough Fire Department And Related Expenses And Appropriating \$61,000 Therefor From The Borough’s Capital Fund Surplus” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an August 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second: Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-22 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Equipment For The Borough Police Department And Related Expenses And Appropriating \$63,000 Therefor From The Borough’s Capital Fund Surplus

BE IT RESOLVED that Ordinance #16-22 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Equipment For The Borough Police Department And Related Expenses And Appropriating \$63,000 Therefor From The Borough’s Capital Fund Surplus” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an August 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Arroyo Second:
Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-23 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Salt Spreading Equipment For The Borough Department Of Public Works And Related Expenses And Appropriating \$31,300 Therefor From The Borough’s Capital Fund Surplus

BE IT RESOLVED that Ordinance #16-23 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of Salt Spreading Equipment For The Borough Department Of Public Works And Related Expenses And Appropriating \$31,300 Therefor From The Borough’s Capital Fund Surplus” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an August 16, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Owens Second:
Councilmember Arroyo

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

12. Presentation of Bills, Financial Reports and Resolutions:

Councilmember Grefrath asked if there were any resolutions to add to the Consent Agenda. He stated that any Councilmembers who wished to remove any Resolution(s) to be voted upon separately could do so at this time, otherwise the Consent Agenda would be enacted in one motion. Resolutions aa, bb and cc were added at this time.

Resolutions as Consent Agenda:

- a) Resolution #16 - 175: Bill List & Statement of Cash**
- b) Resolution #16 - 176: Authorization for Finance Department to Charge \$35.00 for Checks Issued With Insufficient Funds**
- c) Resolution #16 - 177: Authorizing Refund of Taxes B 902 L2**

- d) Resolution #16 - 178: Authorizing Refund of Taxes B 709 L6**
- e) Resolution #16 - 179: Authorizing Refund of Taxes B811 L1**
- f) Resolution #16 - 180: Authorizing Refund of Taxes B2201 L34**
- g) Resolution #16 - 181: Authorizing Refund of Taxes B204 L3**
- h) Resolution #16 - 182: Authorizing Refund of Taxes B1503 L19, 20, 21, 22**
- i) Resolution #16 - 183: Authorizing Refund of Taxes B1503 L23**
- j) Resolution #16 - 184: Authorizing Refund of Taxes B902 L8**
- k) Resolution #16 - 185: Cancellation of Taxes & Authorizing Refund of Taxes B1602 L12**
- l) Resolution #16 - 186: Chapter 159 - Bergen Save the Watershed Action Network**
- m) Resolution #16 - 187: Certification of Annual Audit**
- n) Resolution #16 - 188: 2016 Audit Corrective Action Plan**
- o) Resolution #16 - 189: Adjustment of the Bid Threshold**
- p) Resolution #16 - 190: Cancellation of General Capital Improvement Authorization Balances for Ordinances 13-27, 13-08 and 11-13**
- q) Resolution #16 - 191: Cancellation of Prospective Assessment Balances**
- r) Resolution #16 - 192: Cancellation of Miscellaneous Reserve Balance**
- s) Resolution #16 - 193: Cancellation of New Jersey Environmental Infrastructure Trust Loan Balance**
- t) Resolution #16 - 194: Requesting Permission for the Dedication by Rider for Affordable Housing Trust Fund Required by NJSA 40A:12A-3 et seq.**
- u) Resolution #16 - 195: Use of Westvale Park for Westwood Fire Dept. Dedication/Wetdown**
- v) Resolution #16 - 196: Approval of Westwood Fire Department Application to Consume Alcoholic Beverages on Public Property**
- w) Resolution #16 - 197: Award of Bid for Gym Floor**
- x) Resolution #16 - 198: Authorizing Repair of Engine 1-2**
- y) Resolution #16 - 199: Change Order #1 and Final For The Borough Hall Roof Replacement**
- z) Resolution #16 - 200: Cancellation of General Capital Improvement Authorization Balances**
- aa) Resolution #16 - 201: Chapter 159 - Bergen County Health Services Environmental Division**
- bb) Resolution #16 - 202: Authorizing Agreement for Reconstructing Retaining Wall and Walkway**
- cc) Resolution #16 - 203: Authorization To Bid The 2016 NJDOT Grant for Bogert Avenue Project As An Alternate To The 2016 Road Paving Project**

Motion to adopt resolutions #16-175 through #16-203: Councilmember Grefrath

Second: Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

13. Adjournment:

Motion to adjourn: Councilmember Grefrath Second: Councilmember Montana
Voice Vote: A voice vote was taken with all present voting in the affirmative.
The time was 9:50 pm.
Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk
Proofed by: Denise Holmes, Deputy Clerk